

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

APPLERA CORPORATION, MDS INC., and
APPLIED BIOSYSTEMS/MDS SCIEX
INSTRUMENTS,

Plaintiffs,

v.

THERMO ELECTRON CORP.,
Defendant.

THERMO FINNIGAN LLC,
Plaintiff,

v.

APPLERA CORPORATION, MDS INC., and
APPLIED BIOSYSTEMS/MDS SCIEX
INSTRUMENTS,
Defendants.

Civil Action No.: 04-1230 GMS

Civil Action No.: 05-110 GMS
[Consolidated]

NOTICE OF DEPOSITION OF DONALD J. DOUGLAS

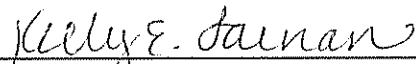
PLEASE TAKE NOTICE that Defendant Thermo Electron Corp. will take the oral deposition of Donald J. Douglas. The deposition will commence on December 22, 2005, at 9:00 a.m. before a notary public or other officer authorized to administer oaths, at the offices of Wilmer Cutler Pickering Hale and Dorr LLP, 60 State Street, Boston, MA 02109. The deposition will continue from day-to-day until completed and will be recorded by stenographic and/or videographic means.

You are invited to attend and cross-examine.

OF COUNSEL:

William F. Lee
Wayne L. Stoner
Stephen M. Muller
Michael R. Dube
Lauren B. Fletcher
Wilmer Cutler Pickering Hale and Dorr LLP
60 State Street
Boston, MA 02109
Telephone: (617) 526-6000

Dated: November 29, 2005


Frederick L. Cottrell, III (#2555)
Cottrell@RLF.com
Kelly E. Farnan (#4395)
Farnan@RLF.com
Richards, Layton & Finger
One Rodney Square
P.O. Box 551
Wilmington, DE 19899
Telephone: (302) 651-7700
Attorneys for Thermo Electron Corp.

CERTIFICATE OF SERVICE

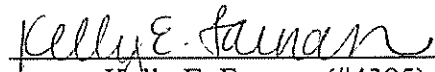
I hereby certify that on November 29, 2005, I electronically filed the foregoing document with the Clerk of Court using CM/ECF which will send notification of such filing, and hand delivered, to the following:

Josy W. Ingersoll
Adam W. Poff
Young, Conaway, Stargatt & Taylor, LLP
The Brandywine Building, 17th Floor
1000 West Street
Wilmington, DE 19899

I hereby certify that on November 29, 2005, I sent the foregoing document by Federal Express to the following non-registered participants:

Walter E. Hanley, Jr.
James Galbraith
Huiya Wu
Kenyon & Kenyon
One Broadway
New York, NY 10004

William G. James, II
Fred T. Grasso
Kenyon & Kenyon
1500 K Street N.W., Suite 700
Washington, DC 20036



Kelly E. Farnan (#4395)
(Farnan@RLF.com)

DATED: November 29, 2005